

a step of developing the photosensitive material exposed via the predetermined pattern.

21. (New) The laser oscillating apparatus according to claim 1, wherein said plate member provided above and away from an electromagnetic-wave source.

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-21 are pending in the present application. Claims 1, 8, 16, 17, 19, and 20 are the independent claims.

Initially, Applicants note with appreciation the indication that Claims 8, 11, 13, and 15 are allowed. Also, Claims 2-5 and 7 are indicated as containing patentable subject matter and would be allowable if rewritten in independent form to include all of the limitations of the base claims and any intervening claims. Applicants have respectfully maintained Claims 2-5 and 7 in dependent form because it is believed, for the reasons discussed below, that the base claim is allowable.

Claims 1-18 have been amended. Applicants submit that the amendments to at least Claims 3, 4, 8, and 10-18 merely relate to matters of form and do not narrow the scope of the claims. No new matter has been added.

The Office Action objected to Figure 9 for failing to include a legend such as "Prior Art." By separate paper submitted concurrently herewith, Applicants are seeking approval

to amend Figure 9 to add the legend "PRIOR ART" as required by the Examiner. Favorable consideration is requested.

Claims 6 and 9 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite because the meaning of the phrase "shifted to that" is unclear. By this amendment, while not conceding the propriety of the rejection, and merely to expedite prosecution, Applicants have amended Claims 6 and 9 to delete this phrase. By these amendments, Applicants submit that the claims now even more clearly satisfy 35 U.S.C. § 112, second paragraph. Therefore, Applicants request that the rejection of these claims under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1, 10, 12, 14, and 16-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,331,994 (Ohmi, et al.). This rejection is respectfully traversed.

The rejection of independent Claims 1, 16, and 17 under 35 U.S.C. §102 should be withdrawn because the cited art does not teach or suggest at least the feature of a light emission portion for plasma light being a slit-shaped gap formed along a lengthwise direction of a plate member. Thus, the cited art does not anticipate these claims.

Ohmi, et al. relates to an excimer laser oscillation apparatus and method, an excimer laser exposure apparatus, and laser tube and teaches slots plates 303 and 420 having lengthwise slots. However, as Figures 17 A, 17 B, and 18A-18C illustrate, in stark contrast to the present invention, Ohmi, et al. teaches that either a dielectric plate 302 or 410 abuts slot plate 303 or 420, respectively, or a dielectric member 450 is buried in the slots of slot plate 420. As a result, it is respectfully submitted that Ohmi, et al. cannot emit a plasma light at the slit portion. Thus, at least for this reason, Applicants submit that independent Claims 1, 16, and 17 are not anticipated by Ohmi, et al.

Applicants submit that newly-presented independent Claims 19 and 20 incorporate the features of allowed independent Claim 8 and therefore should be allowable for at least this reason.

In view of the foregoing, Applicants submit that independent Claims 1, 8, 16, 17, 19 and 20 also patentably define the present invention over the cited art. Further, the dependent claims should also be allowable for the same reasons as the base claims from which they depend and further due to the additional features that they recite.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action and submits that the application is in allowable form. Favorable consideration of the claims and passage to issue of the patent application at the Examiner's earliest convenience earnestly are solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

Michael E. Kondoudis  
Attorney for Applicants  
Michael E. Kondoudis  
Registration No. 42,758

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
MEK/tmc